

**BOARD OF SUPERVISORS
ACTION ITEM**

SUBJECT: Suburban Community Plans

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the Pleasure of the Board

RECOMMENDATIONS:

Transportation/Land Use Committee recommendation: On January 28, 2008 the Transportation/Land Use Committee voted (3-0-1, Waters absent) to recommend that the Board direct staff to initiate a community outreach process in the Sterling and Potomac Communities to identify community needs and desires as a first step in the developing of a scope of work for the Suburban Community Planning effort (Attachment 1).

Staff recommendation: Staff concurs with the Committee's recommendation.

BACKGROUND

At the January 3, 2008 Board of Supervisors Business Meeting, the Board voted to forward the discussion of preparing Suburban Community Plans to the Transportation/Land Use Committee to include consideration of work plans, resource needs, and a public outreach process. (8-1, Delgaudio-no). The development and preparation of Community Plans for the Suburban Policy Area was identified as a key implementation element of the 2001 Revised General Plan. The Plan anticipates that there will be four distinct communities separated from one another by associated Green Infrastructure components and major roads. The four communities were determined through extensive citizen involvement as part of the Plan development. The four communities are Ashburn, Dulles, Potomac, and Sterling (Attachment 2, Suburban Community Boundaries Map).

Since the adoption of the Revised General Plan, much of the planning focus has been on new development in the rural area and the western edges of the suburban area. In the easternmost portion of the County, where most of the residential and commercial growth has occurred over the past twenty years, community planning has occurred primarily as part of the land development process. There are however, several notable examples of small area or community planning efforts: the Arcola and Route 50 corridor planning by the Route 50 Task Force, the East Gate area planning and the Upper Broad Run and Upper Foley Subareas land use plan amendment. These initiatives were also tied closely to individual land use applications.

Loudoun County has a history of community plans dating back to the 1970's when efforts such as the Old Sterling Mini Plan and the Eastern Loudoun Area Management Plan and the Dulles North Area Management Plan addressed local issues. At that time each community was still in the early growth stages and while the Plans tended to focus on growth management, site specific issues and solutions were generated.

Today, the planning environment in suburban Loudoun is somewhat different and the County is facing issues associated with maturing neighborhoods: aging housing stock and infrastructure, uneven services and amenities, the potential of inappropriate redevelopment and changing expectations of a more diverse population. In addition, there are residents who have not been part of a planning process. Many citizens have been in the County less than 10 years and their participation in local planning has been primarily limited to commenting on land use cases at hearings or through newspapers and correspondence to elected/appointed officials.

To be comprehensive and inclusive, a community planning effort should begin with a broad conversation to determine if community boundaries and objectives envisioned in the General Plan reflect the perceptions of residents and business owners and then identify issues unique to each community. There are several options for beginning this conversation ranging from community input meetings to written surveys. Examples of the types of information that can be identified through this effort include: neighborhood boundaries; land use conflicts; potential reinvestment and revitalization areas/projects; opportunities for business development; road alignment and safety improvements; location of public facilities; opportunities for pedestrian connectivity and open space development; quality of life issues; and, creation of community advocacy networks. Different detailed planning approaches are likely to be necessary given the differences in the development of the four communities. However, at a minimum, a clearly defined public outreach process is critical to the development of the plans and should be included in any planning approach taken.

In conclusion, Community Plans can provide the opportunity to open new channels of communication between County agencies and citizens possibly through existing groups and owners associations or through new task forces formed to address a specific issue or geographic area. Community plans can also be incorporated into a larger strategic planning effort of various County agencies by prioritizing public expenditures and identifying where County resources could be invested, providing the most efficient delivery of services.

ISSUES

The extent and boundaries of the planning process used in each community will depend on the issues and objectives that come out of the initial outreach efforts. The outreach process may also vary depending on the resources in each community. Therefore, staff is recommending that the Board direct an outreach program and then based on the outcome, determine the schedule and format for the subsequent planning effort(s).

Staff recommends that the initial outreach effort be conducted in the Sterling and Potomac Communities. These, being the oldest of our eastern communities, may be facing the more urgent need to address the issues noted above. In Sterling, the outreach would coincide with other efforts already initiated by the Board and could provide a more comprehensive and less confrontational process in which to address zoning and overcrowding concerns.

Currently there are several planning and zoning initiatives in progress or inactive awaiting staff resources that have been carried over from the previous Board (Attachment 1). These initiatives require staffing resources from the Departments of Planning and Building and Development with likely additional resources from other County agencies intermittently as the initiatives process through to completion. The Transportation/Land Use Committee discussed the need to consider workload priorities relative to the initiation of any version of Suburban Community Plans. As an

example, the Board Adopted Fiscal Policies call for the Board to initiate and complete a review of County Service Standards and Levels over the first two years of the term. As this will be a bottom-up community based effort, this review could be concurrent and reinforcing to a Suburban Planning effort, although resources need to be prioritized. Chairman York suggested that the first step in considering resource implications could take place during the budget process.

Some of the greatest immediate benefit from the Suburban Area Planning process will be in the areas of capital facility planning (including transportation) and the accompanying land acquisition process. Suburban area planning should result in a much more fine grained level of "build-out" analysis and other demographic and economic data analysis. The entire array of County facility documents (CIP, Capital Needs, proffer analysis, etc) and processes will benefit from this effort. If the County is to proceed with impact fees, such fine-grained analysis will be essential.

COMMITTEE DISCUSSION

On January 28, 2008 the Transportation/Land Use Committee discussed community outreach as a first step in beginning a community planning effort. The Committee voted (3-0-1, Waters absent) to recommend that the Board direct staff to begin an outreach process in the Sterling and Potomac Communities to identify community sentiment, needs and desires (Attachment 1).

SUGGESTED MOTIONS

1. I move that the Board of Supervisors direct staff to initiate a community outreach process in the Sterling and Potomac Communities to identify community sentiment, needs and desires as a first step in the developing of a scope of work for the Suburban Community Planning effort.

OR

2. I move an alternate motion.

ATTACHMENTS

Attachment 1: Planning and Zoning Initiatives in Progress or Awaiting Staff Resources,
January 28, 2008

Attachment 2: Suburban Community Boundaries Map

Staff Contacts: Julie Pastor, Planning Director
Melinda Artman, Zoning Administrator

This page intentionally left blank.

**PLANNING AND ZONING INITIATIVES
IN PROGRESS OR AWAITING STAFF RESOURCES
JANUARY 28, 2008**

PLANNING INITIATIVES

WORK IN PROGRESS

Comprehensive Plan Amendment (CPAM) Elimination of cluster requirements in TR districts
(Planning Commission initiated, 10/15/07)

A property owner with environmental constraints on their property in the Lower Sycolin Subarea of the Transition Policy Area raised this issue during the annual review of the Zoning Ordinance. The Planning Commission initiated amendments to the Revised General Plan and 1993 Revised Zoning Ordinance and conducted a public hearing without staff review or resources. On Jan 15, 2008, the Board referred the amendments back to the Planning Commission for their narrow consideration of the advisability of eliminating the requirement for cluster in the TR-10 district only.

CPAM: Countywide Transportation Plan Update

The Planning Commission held a public hearing (June 2007) and several worksessions and then forwarded its recommended changes to Chapters 1-3 (of 9) and the Appendix along with a revised map to the current Board of Supervisors. Guidance from the BOS is necessary regarding scope and timing of further review.

CPAM: Purcellville Urban Growth Area Management Plan (PUGAMP) policies and phasing for Patrick Henry College

PUGAMP is a jointly adopted comprehensive plan for the Purcellville Joint Land Management Area (JLMA). The plan amendment proposes to amend the phasing plan in PUGAMP to include approximately 60 acres of property owned by the college. Property that is in the phasing plan is eligible for consideration of annexation by the Town and receipt of central utilities from the Town. Staff recommends approval and the Planning Commission recommended approval on December 17, 2007. The CPAM has been advertised for the February 11, 2008 Board of Supervisors public hearing. A companion plan amendment has been on a parallel track at the Town. The Town Council approved the plan amendment on January 8, 2008.

CPAM: PUGAMP phasing for Upper Loudoun Youth Football League

The plan amendment proposes to amend the phasing plan in PUGAMP to include approximately 44 acres of property that is owned by the County and which is being collaboratively planned and developed for recreational uses with the ULYFL. Property in the phasing plan is eligible for consideration of annexation and receipt of central utilities from the Town of Purcellville. Staff recommends approval. The Planning Commission will hold a public hearing on January 28, 2008. A companion plan amendment has been reviewed by the Town and was approved by the Town Council on January 8, 2008.

WORK IN QUEUE/NO STAFF RESOURCES ALLOCATED***Belfort Park (Shaw Road Area) Task Force*** (Board created, January 15, 2008)

The Board directed that a Belfort Park Area Task Force be created to examine the transportation and land use issues in the area between Route 28 and the W&OD trail from Sterling Boulevard to Church Road and report back to the Board by no later than January 2009. Staff from the Office of Transportation Services (OTS) has begun some preliminary work with Chairman York and Supervisor McGimsey. A work program identifying specific resources has not yet been formalized.

CPAM: Proffer Policies Revisions (Capital facilities and Transportation) (BOS direction to Planning Commission, 1/2005)

Consider amending Plan policies to allow credit for private/HOA-constructed facilities; add expectation of capital contributions from commercial projects and allow credit for regional transportation improvements (over and above mitigating their impacts) towards capital facilities.

CPAM: Lower Middle Goose (Board initiated, September 2005)

A planning effort to consider changes to the densities allowed in the lower portion of the Middle Goose sub-area (the 495 acre Criswell property) from 1/10 or 1/3 with Village to 1 unit per acre.

CPAM: Villages and Village Commercial District Overlay Planning

In conjunction with the Countywide remapping in 2003, the Board recognized the need for a planning effort to reconcile sewer service area boundaries, plan boundaries and zoning boundaries affecting the existing villages.

CPAM: Conservation Design References in the Revised General Plan (Board initiated, April 2005)

A plan amendment to reconsider all references to and requirements for Conservation Design to ensure that the concept is objective, descriptive and can be implemented.

CPAM: Rural Village Option in the Rural Policy Area (Board initiated, July 2006)

A plan amendment to consider the possibility of adding a Rural Village Option in the Rural Policy Area. The interest for this amendment occurred while the Planning Commission was considering the Rural Remapping.

CPAM: Purcellville Urban Growth Area Management Plan (PUGAMP)

After public input sessions, the Joint Policies Review Committee (JPRC) prepared a draft which was forwarded to the Town and County Planning Commissions for review. The Town and County Planning Commissions certified the draft (with revisions) on February 23, 2006 and forwarded it to the respective Governing Bodies. The Town Council and Board held public hearings on April 4, 2006 and April 11, 2006 respectively. A joint meeting of the Board and Town Council was held on May 8, 2006 at which most outstanding issues were resolved. The remaining outstanding issue relates to policies on utility service in the Joint Land Management Area (JLMA). Related to this CPAM was the School Board's decision on May 9, 2006, to locate a new western Loudoun High School at Fields Farm which is located within the JLMA. Policies in PUGAMP were called into question relating to the location of this facility in the JLMA and to utility provision to the school. No further discussion took place between the governing bodies on the CPAM. To continue work on the draft, staff recommends continued discussion between the Town Council and the Board to reach resolution of the outstanding issues; staff review and update of data and content in the draft; new

public hearings at the Town and County Planning Commissions with re-certification by each; and public hearings at both the Town Council and Board prior to final action.

CPAM: Round Hill Area Management Plan (RHAMP)

The Revised General Plan contains implementation strategies one of which is the update of area plans for Hamilton, Purcellville, and Round Hill. The Board's direction in 2001 was to conduct plan updates sequentially starting with Hamilton and ending with Round Hill. Updates to the Hamilton Plan were approved in 2003. The PUGAMP update has not been completed, as noted above, and consequently work has not been initiated on updates to the RHAMP. A first step to undertaking an update to the RHAMP would be for the County and Town to jointly scope issues and land use policies that need to be addressed in an update and to discuss the process used to conduct the update. Regarding issues, staff is aware that the town is currently interested in making adjustments to the corporate boundaries and/or to the JLMA. The RHAMP does not contain a phasing plan or strategy for incorporating areas of the JLMA and staff would recommend such be included in an update. Additionally, an update would likely address the location of various public facilities in the JLMA.

Leesburg JLMA/Joint Planning Area Review (Active policy discussion, not yet a CPAM)

On May 16, 2006, as part of a motion to initiate a CPAM for the Crosstrail project, the Board agreed to discuss planning issues with the Town of Leesburg pertaining to the Leesburg Joint Land Management Area (JLMA). The Annexation Area Development Policies (AADP) Committee began meeting in the Fall of 2006 to discuss land use planning issues and possible jurisdictional changes at various locations around the Town. The Committee decided upon a geographical study area and invited Catoctin and Leesburg District Planning Commissioners and two Town Planning Commissioners to join them in their discussion. The Committee has met regularly over the past year to compare land uses of the Town and County Comprehensive Plans; compare roadway classifications; and discuss areas and methods of incorporating properties that are situated in the study area into the Town corporate limits. On October 10, 2007, the Town Council voted to direct the AADP Committee and Town staff to work on an annexation agreement with the County. On November 20, 2007, the Board took a similar action. The Committee is currently considering annexation of the southeastern quadrant of the JLMA and has planned stakeholder meetings for February 2008 as the first step in the process. This work initiative could result in the development of an Annexation Agreement between the Town and the County and/or it could result in amendments to the County's Revised General Plan with respect to land use, transportation, or JLMA boundary issues.

Transportation Impact Fees (HB 3202)

As part of the rural policy amendments and related zoning revisions in late 2006, the Board directed that staff begin the process of establishing a transportation impact fee ordinance as outlined by Virginia State Code requirements. The Board also provided direction that staff should expand the review of transportation impact fees for the Rural Policy area, to include the possibility of such fees for the Transition Policy Area. A draft work program outlining the various technical analyses required to comply with State statutes was provided to the Transportation/Land Use Committee in November 2007. No additional Committee direction was provided.

Loudoun County Heritage Plan

On December 15, 2003, the Board of Supervisors adopted the Loudoun County Heritage Preservation Plan (Preservation Plan). On January 5, 2004, the Board directed that the Plan be returned to the Planning Commission for a complete and thorough review; however, because of other resource priorities the Planning Commission has not been able to initiate the review. A review of the Plan is warranted because of the time that has passed since its adoption. For example, the Citizens Committee for the Historic Cavalry Battles of Aldie, Middleburg and Upperville has come forward with its recommendations; the County has endorsed the Journey Through Hallowed Ground and changes are being considered to the County's Historic District Guidelines.

Waxpool Road Corridor Task Force

On November 20, 2007, the Board of Supervisors affirmed formation of the Waxpool Task Force. The Board also directed that the county solicit interest from members of the public who would like to serve on the task force. The Waxpool Task Force is focused on producing a long-term plan for improving traffic flow along Waxpool Road through private and public efforts including those of the Loudoun County government, the Virginia Department of Transportation, local and regional businesses, and interested citizens.

ZONING INITIATIVES

WORK IN PROGRESS

Increase in Fines

Increase fines in accordance with the provisions of the Code of Virginia. (BOS public hearing scheduled for February 11, 2008). In the fall of last year, the Board of Supervisors discussed the wisdom of adopting criminal penalties for those convicted of violating the definition of a family (having more than four unrelated persons in a dwelling). Staff noted that criminal convictions were difficult to obtain and that a better enforcement tool was civil penalties. Staff brought to the Board's attention that the Code of Virginia had increased the maximum civil penalties and the Zoning Ordinance needed to be amended to achieve these maximum penalties. The Board initiated an intent to amend the Zoning Ordinance as a result of this conversation.

Farm Markets (returned to Planning Commission for further review and action.)

The Planning Commission, on its own initiative, developed an amendment to address issues related to a farm market outside the Town of Hamilton. The amendment went to the Board of Supervisors for public hearing on January 8, 2008. The Board took action at the hearing to send the amendment back to the Planning Commission.

Zoning Ordinance Amendment (ZOAM) (initiated by Planning Commission, 2007)

Remove the requirement to cluster in the Transition District (TR) and make cluster a subdivision option instead. (This amendment would take place in concert with the CPAM discussed above).

WORK IN QUEUE/NO STAFF RESOURCES ALLOCATED

Zoning Ordinance Amendment (ZOAM) (initiated by Board of Supervisors, 2004)

Creation of a sign overlay district along the Route 606 Corridor; companion zoning map amendment to implement text changes. Some business owners have expressed concern the sign ordinance is too restrictive and does not meet its needs to direct users to his/her business. In response, the Board directed staff to cease pro-active enforcement of the sign ordinance Countywide and to create a sign overlay district for the Route 606 Corridor.

Zoning Ordinance Amendment (ZOAM) (initiated by Board of Supervisors, 2004)

Comprehensive review and amendment of the sign ordinance. The former Land Use Committee discussed concerns regarding the overall sign ordinance and its application to retail uses in Old Ashburn. This led to a discussion on the adequacy of the existing regulations and their effect on economic development. The Committee recommended, and the Board adopted an intent to amend the Ordinance for a comprehensive review of all of Section 5-1200 Signs.

Zoning Ordinance Amendment (ZOAM) for a Rural Village Option in the Rural Policy Area (Board initiated, July 2006)

This amendment would accompany the CPAM which was initiated to revisit Rural Village options in the Rural Policy Area. The interest for this amendment occurred while the Planning Commission was considering the Rural Remapping.

Zoning Ordinance Amendment (ZOAM) (initiated by Board of Supervisors, 2007)

Re-instatement of the Limestone Overlay District, companion zoning map amendment to implement text changes. The Transportation/Land Use Committee heard and observed evidence of sink holes and other depressions occurring in limestone deposit areas north of the Town of Leesburg. There is

a concern that structures could be imperiled by these sink holes. Consequently, the Board adopted an intent to amend the Ordinance to reinstate this district. (The Supreme Court of Virginia invalidated the prior district for failure to provide proper notice.)

Zoning Ordinance Amendment (ZOAM) (initiated by Planning Commission, 2007)

This amendment would allow for a mix of uses in the Commercial Light Industrial (CLI) zoning district. The Route 50 Task Force identified a number of initiatives for the properties along Route 50. There was concern that the proposed PD-Mixed Use Business district would be applicable to a very few properties. They expressed a desire for amendments to the CLI district that would maximize their use choices. The Planning Commission initiated an intent to amend based upon these land owners' request.

POTENTIAL ZOAMS IDENTIFIED BY OTHERS:

Potential Zoning Ordinance Amendment (ZOAM) (Staff identified.)

Amendment(s) necessary to make the transition from the 1972 Zoning Ordinance as smooth as possible for grandfathered Planned Development-Housing (PDH) districts. The grandfathering of PDH districts mapped under the 1972 Zoning Ordinance sunsets on June 16, 2008. Staff is in the process of identifying which developments would be affected by the sunseting of the 1972 Zoning Ordinance.

Potential Zoning Ordinance Amendment (ZOAM) (Staff identified)

As a companion to the above, an amendment to regularize the "townhouses" in Cascades Section 13 pursuant to a settlement agreement made in 1998. Cascades Section 13 has "townhouses" that may or may not be connected underground via wine cellars, and have no apparent connection above ground. The developer paid a substantial fee as part of a settlement agreement to the County for this violation of its concept development plan and zoning ordinance. In return, the County promised to regularize these dwellings when the 1972 Zoning Ordinance was no longer applicable to the development.

Potential Zoning Ordinance Amendment (ZOAM) (Staff identified)

Update Historic District provisions, particularly in regard to appeals and required maintenance. There are two incidents (one in Goose Creek and one in Waterford) that daylight limitations of the Historic District provisions. The maintenance requirements reference outdated Building Code citations and those outdated citations are more stringent than the current Building Code requires. The Zoning Ordinance should explicitly detail its maintenance standards. Appeals to the Historic District Review Committee prolong the administrative process for redress. Additionally, the standing provisions are subject to interpretation as to who may make an appeal. The limitations of the District provisions have resulted in a settlement that allowed the demolition of a contributing structure, and a property owner outside the Historic District has filed appeals to the Historic District Review Committee (HDRC), the Board and now the Courts on a property within the District. The addition of the HDRC to the administrative appeals inserts a body unfamiliar with a quasi-judicial function and prolongs the time in which a property owner receives a dispositive answer to the dispute.

Potential Zoning Ordinance Amendment (ZOAM) (Affordable Dwelling Unit Advisory Board (ADUAB) identified)

Comprehensive review of Article 7, Affordable Dwelling Units (ADUs). A companion amendment to the Codified Ordinance may also be necessary. For a number of years, the ADUAB has expressed some concerns regarding Article 7 and the inability to allow creative and innovative projects that allow those with moderate incomes to own homes. A thorough review and analysis of the ADU program has not occurred since the program's inception in 1993.

Potential Zoning Ordinance Amendment (ZOAM) (rural Loudoun interest groups identified)

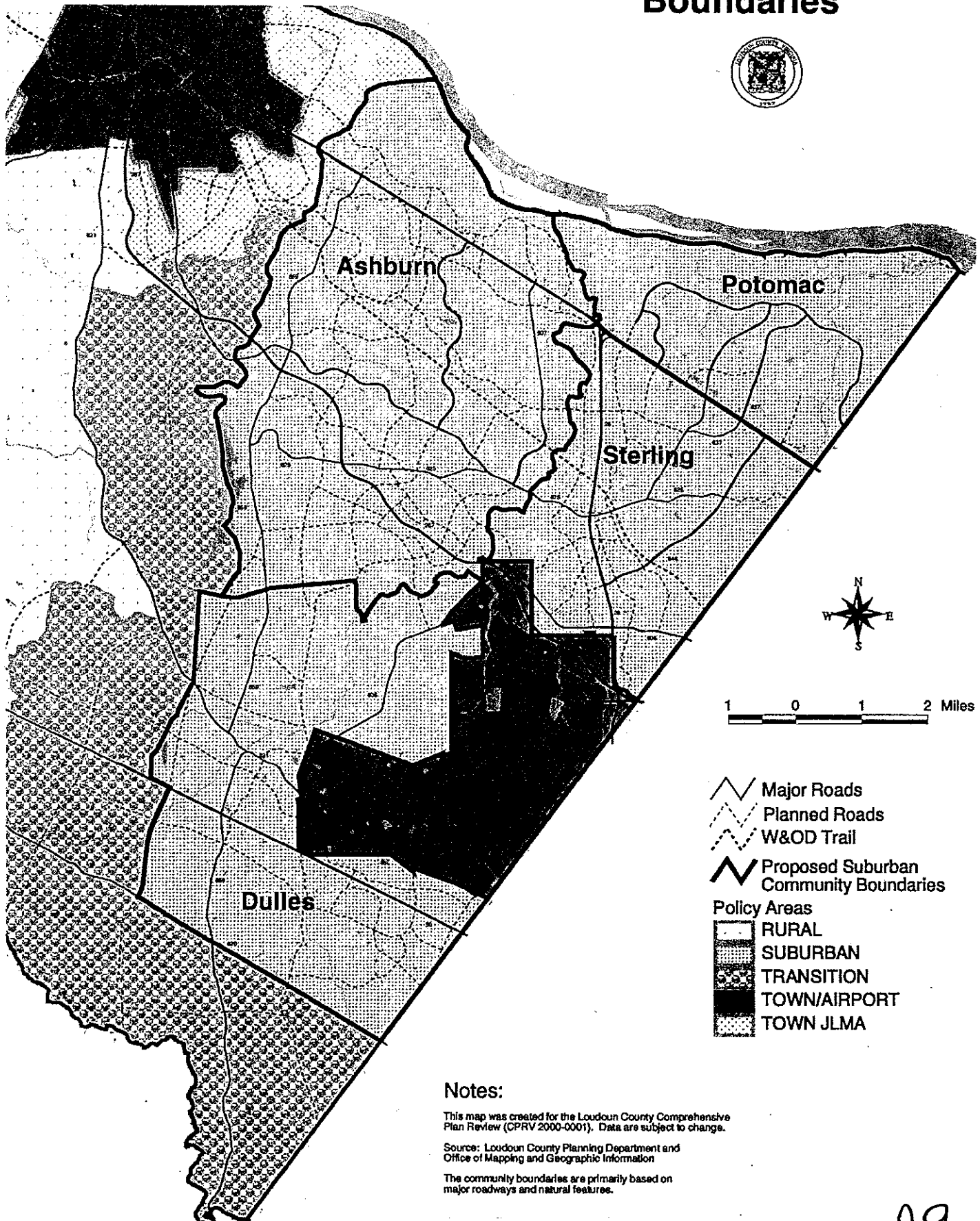
Revisit, re-tool, and implement Green Infrastructure policies of the Revised General Plan through zoning ordinance amendments. Staff has been made aware of an umbrella group of rural Loudoun interest groups that are interested in the reinstatement of the green infrastructure policies of the Plan with companion zoning ordinance amendments. This also applies to the Mountainside Overlay District, the steep slope standards and the River and Stream Corridor Overlay District. These environmental regulations, with the exception of the steep slope standards, were invalidated by the Supreme Court of Virginia for improper notice.

Potential Zoning Ordinance Amendment (ZOAM) (Staff identified)

Annual Review of the Zoning Ordinance. The Annual Review has not been annual and it is seldom a full review. At the adoption of the last annual review in December 2007, there was consensus by the Board of Supervisors that the annual review needs to occur more frequently. The Board took no formal action in this regard.

This page intentionally left blank.

Suburban Community Boundaries



Notes:

This map was created for the Loudoun County Comprehensive Plan Review (CPRV 2000-0001). Data are subject to change.

Source: Loudoun County Planning Department and Office of Mapping and Geographic Information

The community boundaries are primarily based on major roadways and natural features.

This page intentionally left blank.